

ORDERS OF THE DAY.

A bill to provide for the support of Schools, with the report of the committee on Education, recommending its passage—was read.

On motion of Mr Taylor of Cass, the consideration of the bill and report was deferred till tomorrow at 11 o'clock A. M.

Bill, explanatory of the 14th section of an act to provide for the construction of the Mississippi and Pacific railroad, approved Dec. 21st 1855, was on motion of Mr Palmer, made a special order of the day, for Wednesday the 2d day of January next.

On motion of Mr Taylor of Cass, the Senate adjourned till to-morrow morning at 10 o'clock, by the following vote:

Yeas.—Messrs. Allen, Armstrong, Loti, Martin, Millican, Pirkey, Russell, Taylor of Cass, Taylor of Pannin, Fruit, Whitaker, and White,—12.

Nays.—Messrs. Bryan, Burroughs, Flanagan, Grimes, Guinn, Maverick, Palmer, Potter, Weatherford, and Wren,—10.

FRIDAY, DEC. 28th, 1855.

The Senate was called to order, by the President pursuant to adjournment—prayer by the chaplain, roll called—quorum present. The Journal of yesterday was read and adopted.

Mr Grimes presented the petition of Alfred McLaughlin and others; referred to the committee on private land claims No. 2.

Mr Guinn chairman of the committee on engrossed bills, reported a bill to permit the city of Houston to levy a special tax for Red Road purposes, correctly engrossed.

Mr Grimes chairman of the committee on Finance made the following report:

The committee on Finance have had under consideration the memorial of Joseph R. Burleson administrator, and Sarah Burleson administrators of Edward Burleson dec'd.

Memorialists pray that the State of Texas refund to the Estate of said Edward Burleson the sum of six hundred and eighty-one dollar, and 45 cents, it being the amount collected from the said decedent in his life time as security for one Boyce, for import duties on goods introduced into the Republic of Texas. Your committee had no evidence before them, but they readily came to the conclusion that it would be inexpedient to refund money from the Treasury when the same had been collected by due course of law, unless sufficient proof be made, and such as it was not within the knowledge of the defendant or within his power to obtain in the court where the judgment was obtained, that the case was one that in justice required relief. Your com-

mittee therefore return the petition and ask to be discharged from the further consideration of the same.

Mr. Armstrong from the committee on Public lands made the following report :

The committee on public lands, to which was referred a bill to confirm the titles of certain pre-emption settlers within the limits of Peters' Colony, have considered the same and believing the object sought to be obtained a good one, have instructed me to recommend the passage of the bill with following amendment. In the 4th line after the word "pre-emptors" insert "Prior to the 21st day of December 1853."

Mr. Whitaker chairman of the committee on private land claims No. 2, made the following report :

The committee on private land claims No. 2, have had under consideration the memorial of James McDonald praying for one third league of land, the right to which is not sustained by the proof; but your committee are of the opinion that the memorialist is entitled to relief under the law of Dec. 22d 1836, and report the following bill for his relief, and recommend its passage.

A bill requiring the Commissioner of the General Land Office to issue a land certificate to James McDonald; read first time.

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A bill incorporating the Brazoria county Insurance company—read 3d time and passed by the following vote :

YEAS.—Messrs. Allen, Armstrong, Bryan, Burroughs, Caldwell, Fanagan, Grimes, Guinn, Lott, Martin, Maverick, Millican, Palmer, Pirkey, Potter, Russell, Scarborough, Taylor of Cass, Taylor of Fannin, Tritt, Whitaker, and White,—22.

NAYS.—Messrs. Weatherford, and Wren,—2.

A bill for the relief of the heirs of Andrew P. Cunningham; read and ordered to be engrossed.

A bill prohibiting the Commissioner of the General Land Office, issuing patents to the Texian Emigration and land company, for lands lying in Peters' Colony; read.

Mr. Armstrong offered a bill restraining the Commissioner of the General Land Office from issuing patents for the benefit of the Texian Emigration and land company or Peters' Colony contractors, as a substitute for the bill.

Mr. Taylor of Fannin, moved to re-refer the bill and substitute to the committee on the Judiciary.

On motion of Mr. Guinn, the bill was postponed until Saturday the 5th day of January next.

A bill providing for the support of Schools; read.

Mr. Taylor of Cass, offered the following amendments; add

to 4th section "provided; that no child whose entire tuition has been paid, shall receive any money under the provisions of this section," and the following sections to be numbered 6 and 7.
 "Sec. 6. If any person or patron of any School is unable to pay his tuition and the teacher shall be satisfied of the fact, it shall be the duty of the said teacher to make out a list of all such patrons, together with the amount of money due from each for tuition and forward the same under oath to the Chief Justice of the county."

"Sec. 7. That the Chief Justice of each county after satisfying himself that the patrons so returned are unable to pay the tuition, shall annually furnish the Treasurer of the State with a statement under his hand and the seal of the county, of the amount of money due for tuition from all such patrons who are unable to pay. And the Treasurer of the State is hereby authorized and required to pay said amounts of money out of the interest arising from the School fund, and then proceed to distribute the remainder as required by this act."

Mr White offered the following as an amendment to the amendment; "provided that orphan children or the children of widows, who have no other or greater amount of property than is exempt by law from forced sale, shall be considered indigent,"—accepted by Mr Taylor.

The amendment was then adopted by the following vote:

YEAS—Messrs. Allen, Armstrong, Burroughs, Grimes, Guinn, Lott, Martin, Maverick, Potter, Russell, Taylor of Cass, Truit, Weatherford, Whitaker, and Wane,—15.

NAYS—Messrs. Bryan, Caldwell, Doane, Flanagan, Palmer, Pedigo, Pirkey, Scarborough, Taylor of Fannin and Wren,—10.

Mr Palmer offered the following amendment:

After the enacting clause insert "that the sum of five hundred thousand dollars of the five per cent bonds of the United States, remaining in the Treasury of the State be added to the special School fund, and"

On motion of Mr Taylor of Cass, the amendment was amended by striking out "five hundred thousand" and inserting "one million" by the following vote:

YEAS.—Messrs. Allen, Armstrong, Caldwell, Doane, Guinn, Lott, Martin, Maverick, Millican, Pedigo, Pirkey, Taylor of Cass, Truit, Weatherford, and White,—15.

NAYS.—Messrs. Bryan, Burroughs, Flanagan, Palmer, Potter, Russell, Scarborough, Taylor of Fannin, Whitaker, and Wren,—10.

On motion of Mr Potter, the amendment was laid on the table.

Mr. Bryan offered the following amendment:

Strike out, in section 7, all after the words "shall annually" and insert "with the approbation of the County Court distribute the amounts of money out of the interest arising from the school fund, due for tuition, from all such patrons who are unable to pay, and then proceed to distribute the remainder as required by this Act." Rejected.

Mr. Palmer offered the following amendment:

After the enacting clause, insert "that the sum of six hundred thousand dollars of the five per cent bonds of the United States now remaining in the Treasury of the State be added to the special school fund, and;" adopted.

Mr. Grinn offered the following amendment:

Amend the 4th section by striking out the words "of the established" and inserting "who may attend any;" adopted.

Mr. Weatherford moved to amend the bill by striking out the words "six and sixteen;" wherever they occur, and inserting "five and eighteen;" carried by the following vote:

Yea—Messrs. Allen, Armstrong, Barron, Boone, Flanagan, Martin, Millican, Pedigo, Russell, Taylor of Cass, Trutt, Weatherford, Whitaker and Wren—14.

Nays—Messrs. Bryan, Caldwell, Grimes, Grinn, Lott, Maverick, Palmer, Pirkey, Potter, Scarborough, Taylor of Platte, and White—12.

Mr. Palmer offered the following amendment:

"Sec. 11. That all laws conflicting with the provisions of this Act be, and the same are hereby thus far repealed, and that this Act take effect, and be in force from and after its passage—Adopted."

Mr. Grinn moved to amend by striking out "five" and inserting "six;" lost.

Mr. Burroughs moved to re-refer the bill to the committee on Education; lost.

The bill was then ordered to be engrossed.

On the motion of Mr. Lott, the Senate adjourned until 10 o'clock tomorrow morning.

and (Journal of the) SENATE, December 29th, 1853.

The Senate was called to order by the President, pursuant to adjournment. Prayer by the Chaplain. Roll called—Quorum present.

The Journal of yesterday was read and adopted.

Mr. Potter, chairman of the committee on the Judiciary to which was referred a bill to amend an act to incorporate the

Union Marine and Fire Insurance Company, approved January 26th 1848, reported the same back and recommended its passage after amending it by striking out the first section.

Mr Potter from the same committee, made the following report :

The Judiciary committee have considered a communication from the Governor, the date of Dec., 1st, in relation to the Library of the Supreme Court, and a majority of the committee direct me to report a bill, which is herewith presented and which is intended to carry out a portion of the recommendation of the Governor. The committee recommend that the blank in the bill be filled by the Senate and that the bill be then passed.

The committee recommend to the favorable consideration of the Senate that part of the communication of the the Governor which recommends, "that a biennial appropriation of the sum of fifteen hundred dollars be hereafter made for the gradual increase of these Libraries, to be expended under the direction of the Supreme Court," and the committee recommend that such appropriation be made in the general appropriation bill.

A bill to provide for the safe keeping of the Libraries of the Supreme Court at the several branches thereof; read first time.

Mr Potter, chairman of the same committee, to which was referred a bill to change the name of Margaret Catharine Burk to that of Margaret Catharine Moore, and that of Emily Jane Burk to that of Emily Jane Clark, reported a substitute therefor, and recommended its adoption and passage.

Mr Guian, chairman of the committee on Engrossed bills, reported as correctly engrossed, a bill to provide for the support of schools, and a bill for the relief of the heirs of Andrew P. Cunningham deceased.

Mr Weatherford introduced a bill appropriating a portion of the public Domain for common school purposes; read first and second times and referred to the committee on Education.

Mr Taylor of Cass, introduced a bill supplementary to an act to incorporate the town of Jefferson, approved March 20th 1848; read first and second times and ordered to be engrossed.

Mr Flanagan introduced a bill for the relief of the heirs of Josiah Hudson; read first and second times and referred to the committee on the Judiciary.

Mr Allen introduced a bill to increase the common school fund, by a sale of a certain portion of the public domain; read first and second times and referred to the committee on the Judiciary.

Mr White introduced a bill to incorporate the town of Indianolia; read first and second times and referred to the committee on the Judiciary.

Mr Whitaker, by leave, presented the memorial of Isaac Lee and the administrators of F. Thom for confirmation of head-right to Allen Hines, and that of Isaac Lee for confirmation of title to Milby Berry; referred to the committee on public lands.

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On motion of Mr Russell, the rule requiring reports to lie on the table one day, was suspended and the report of the committee on the Judiciary on a bill to change the name of Margaret Catharine Burks to that of Margaret Catharine Moore, and the name of Emily Jane Burks to that of Emily Jane Clark, offering a substitute therefor, was taken up—substitute adopted and bill ordered to be engrossed.

On motion of Mr Russell, the rule was suspended, bill read third time and passed.

On motion of Mr Flanagan, a bill to incorporate the Henderson and State line Rail Road Company, was taken up and read and ordered to be engrossed.

On motion of Mr Flanagan, the rule was suspended, bill read third time and passed, by the following vote.

YEAS—Messrs. Armstrong, Caldwell, Flanagan, Guinn, Martin, Maverick, Millican, Pirkey, Potter, Russell, Scarborough, Taylor of Fannin, Truit, Whitaker and White—15.

NAYS—Messrs. Bryan, Burroughs, Grimes, Lott, Taylor of Cass, Weatherford and Wren—7.

Mr Martin moved to take up "a bill to quiet land titles"—lost.

On motion of Mr Caldwell, "a bill more particularly to define the Eastern boundary line of Bastrop county," was taken up—read and ordered to be engrossed.

On motion of Mr Caldwell, the rule was suspended, bill read third time and passed.

Mr White moved to adjourn till Monday morning; lost.

On motion of Mr Armstrong, a bill incorporating the town of Cameron in Milam county, was taken up, read and passed to a third reading.

On motion of Mr Armstrong, the rule was suspended, bill read third time and passed.

On motion of Mr Potter, a bill to incorporate the Galveston Ice Company, was taken from the table, read third time and passed by the following vote:

YEAS—Messrs. Armstrong, Caldwell, Flanagan, Guinn, Lott, Martin, Maverick, Millican, Pirkey, Potter, Russell, Scarborough, Taylor of Cass, Taylor of Fannin, Truit, Weatherford, Whitaker and White—18.

NAYS—Messrs. Bryan, Burroughs, Grimes, and Wren—4.

On motion of Mr Weatherford, the report of the committee on public lands, on a bill for the relief of Wm. Rawlins, offering a substitute therefor, was taken up—substitute adopted and bill ordered to be engrossed.

On motion of Mr Guinn, the rule was suspended, bill read third time and passed.

On motion of Mr Maverick, a bill to create the county of Atascosa, together with the report of the committee on county and county boundaries, offering amendments thereto, was taken up, read and amendments adopted.

Mr Weatherford moved to amend the bill by striking out "Atascosa," and inserting "Latimer."

On motion of Mr Armstrong, the amendment was laid on the table.

The bill was then ordered to be engrossed.

On motion of Mr Flanagan, the rule was suspended, bill read third time and passed.

On motion of Mr Truit, a bill for the relief of Elizabeth Early, was taken up, read and ordered to be engrossed.

On motion of Mr Truit, the rule was suspended, bill read third time and passed.

On motion of Mr Lott, a bill for the relief of the heirs of Elizabeth Jones, was taken up, read and ordered to be engrossed.

On motion of Mr Taylor of Cass, the rule was suspended, bill read third time and passed.

On motion of Mr Taylor of Fannin, a bill for the relief of the heirs of John Ragsdale, was taken up, read and ordered to be engrossed.

On motion of Mr Taylor of Fannin, the rule was suspended—bill read third time and passed.

On motion of Mr. Bryan, "A Bill requiring the Commissioner of the General Land Office, to issue a certificate for 640 acres of land to the heirs of Bradbury S. Follet, was taken up, read and ordered to be engrossed.

On motion of Mr. Bryan the rule was suspended—Bill read 3rd time and passed.

On motion of Mr. Potter, "A Bill to provide for jury trials in the corporation courts of the various towns and city corporations in this State"—was taken up, read and ordered to be engrossed.

On motion of Mr. Potter, the rule was suspended bill read 3rd time and passed.

On motion of Mr Armstrong, a bill for the relief of Dicy Craig, formerly Dicy Henderson, was taken up, read and or-

dered to be engrossed.

On motion of Mr Armstrong, the rule was suspended, bill read third time and passed.

On motion of Mr Guinn, a "bill for the relief of George B Br warig, his heirs or assigns," was taken up, read and ordered to be engrossed.

On motion of Mr Guinn, the rule was suspended; read third time and passed.

On motion of Mr Burroughs, "a bill for the relief of Ezekiel Vickers," was taken up, read and ordered to be engrossed.

On motion of Mr Burroughs, the rule was suspended, bill read third time and passed.

A bill to provide for the support of schools; read third time and passed.

On motion of Mr Weatherford, the Senate adjourned till 10 o'clock, Monday morning.

MONDAY, Dec. 31st., 1855.

The Senate was called to order by the President, pursuant to adjournment, Prayer by the Chaplain—Roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Taylor of Fannin, chairman of the committee on Private Land Claims No. 1 made the following report.

The committee on Private Land Claims have considered the memorial of S. D. Rainey praying for land, and have come to the conclusion, that he is entitled to the relief prayed. It appeared from reliable testimony (the witnesses being known to most of the committee) that said Rainey emigrated to Texas in 1837, that he received a certificate for 640 acres of land from the board of land commissioners, which was not recommended by the travelling board of land commissioners, for the reason that he, in settling believed himself to be in Texas, but after his settlement, the boundary line between the United States and Texas was run, which left him without the limits of Texas. After which, he moved into this State, in which he has resided without intermission ever since. The committee believe from this, that under the law, he would not be entitled to land, but considering his long residence in Texas, and it being no fault of the petitioner, that the boundary line was not run, that he is equitably entitled to land. They therefore report the accompanying bill and recommend its passage.

"A Bill for the relief of S. D. Rainey" Read 1st time.